

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

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U.S. DISTRICT COURT

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TEXAS-EASTERN

WALSH CUSTOM HOMES, INC. §
V. §
TOWN OF LAKEWOOD VILLAGE, ET AL. §

BY _____
CASE NO. 4:05CV352
(Judge Schell /Judge Bush)

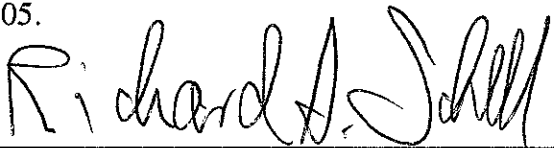
MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On October 26, 2005, the Magistrate Judge entered his Report recommending that The Town Council of Lakewood Village's Rule 12(b)(6) Motion to Dismiss Plaintiff's Claims be granted, and that all claims against the Town Council of Lakewood Village be dismissed.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court. It is, therefore,

ORDERED, ADJUDGED and DECREED that The Town Council of Lakewood Village's Rule 12(b)(6) Motion to Dismiss is **GRANTED**, and all claims against The Town Council of Lakewood Village are **DISMISSED**.

SIGNED this 18th day of November, 2005.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE